

### **149.370 Acts creating fire hazards in forests prohibited.**

No person shall:

- (1) Within or adjacent to timberland, dispose of a lighted match, cigarette, cigar, ashes, or other flaming or glowing substance, or any other substance or thing in such condition that it is likely to ignite a forest, brush, grass, or woods fire, or throw or drop any of the aforesaid objects or substances from a moving vehicle or drop or leave any of the aforesaid objects or substances within the limits of the right-of-way of any road or highway in such timberland. The driver of a moving vehicle shall be deemed prima facie liable where it cannot be determined which of the occupants of the moving vehicle threw or dropped any of the aforesaid objects or substances.
- (2) Smoke in timberland during an emergency period of fire danger as proclaimed in KRS 149.405.
- (3) Within or adjacent to timberland, set a backfire or cause a backfire to be set, except under the direct supervision of the Environmental and Public Protection Cabinet, or unless it can be established that the setting of such backfire is necessary for the purpose of saving life or valuable property.
- (4) Without authority, destroy, deface, or remove any notice, sign, or poster of the Environmental and Public Protection Cabinet, posted for the better protection of wood lots, forests, or wild lands from fire or trespass.
- (5) Use or operate within or adjacent to timberland a welding torch, tarpot, or other device which may cause a fire, without clearing flammable material surrounding the operation or without taking such other reasonable precautions necessary to ensure against the starting and spreading of fire.
- (6) Discharge or cause to be discharged a gun firing incendiary or tracer bullets or tracer charge or combustible gun wadding onto or across any timberland.
- (7) Have in his possession on timberland any incendiary or tracer bullet or tracer charge, except in the course of transporting the same in conformity with law.
- (8) In or adjacent to timberland, set fire or direct another to set fire to any flammable material for debris removal, cooking, heating, or to provide light without first obtaining permission from the landowner and taking necessary precautions to prevent the fire from spreading to adjacent lands. All burning materials shall be attended until extinguished.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 169, sec. 1, effective July 15, 1998. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(3). -- Amended 1966 Ky. Acts ch. 23, sec. 43. -- Created 1964 Ky. Acts ch. 158, sec. 3.

**Legislative Research Commission Note** (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.